

PATENT
Docket No. 1029-0344

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jerome M. Gauthier
Nhon T. Vuong

Serial No.: 09/704,244

Filed: 11/02/2000

Art unit: 2635

Examiner: Nguyen, Nam V.

For: System for Remote Operation of a
Personal Hygiene or Sanitary
ApplianceCERTIFICATE OF MAILING
Date of Deposit _____I hereby certify that this paper or fee is being deposited with the
United States Postal Service on the date indicated above and is
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Nhon T. Vuong, depose and say as follows:

1. Jerome M. Gauthier and I are the joint inventors of the invention disclosed and claimed in the above-identified patent application.
2. I understand that U.S. Patent No. 6,522,078 to Okamoto et al. (the '078 patent) having a filing date of August 25, 2000, has been cited by the Patent and Trademark Office to support rejections under 35 U.S.C. 103(a) of all the claims of the above-identified application.
3. The invention disclosed and claimed in the above-identified application was made prior to August 25, 2000, the filing date of the '078 patent. Specifically, this invention was made,

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completed and actually reduced to practice in the United States, prior to August 25, 2000, as evidenced by Exhibit A and Exhibit B.

4. While all the dates on the attached Exhibits have been removed from the accompanying copy, all such dates are prior to August 25, 2000.

5. Exhibit A is a date-redacted copy of a New Concept Disclosure and a copy of the drawings referred to in the New Concept Disclosure. Exhibit A reports on work or other activities performed in the United States by Jerome M. Gauthier and me and/or under our direction and control in connection with the invention as defined by claims 1-13. All the dates redacted from Exhibit A are prior to August 25, 2000.

6. Exhibit B is a date-redacted copy of a New Concept Disclosure and a copy of the drawings referred to in the New Concept Disclosure. Exhibit B reports on work or other activities performed in the United States by Jerome M. Gauthier and me and/or under our direction and control in connection with the invention as defined by claims 14-21. All the dates redacted from Exhibit B are prior to August 25, 2000.

7. Jerome M. Gauthier and I, and/or others working under our direct supervision and control, built a functioning prototype of the inventions described in Exhibits A and B and as defined by claims 1-21. This prototype was installed on a toilet in an employees' wash room in the offices of our employer, the assignee of the present application, Sloan Valve Company. Employees used this prototype on a daily basis and reported verbally to Jerome Gauthier and/or me that the prototype functioned properly. In addition to these reports, Jerome Gauthier or I personally tested this prototype every working day for a period of months. At all time these tests indicated that the prototype functioned properly for its intended purpose. All activities described in this paragraph took place prior to August 25, 2000.

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8. Exhibit C is a schematic drawing of the prototype installed. Although the date of creation of this schematic drawing has been redacted, the date is prior to August 25, 2000.

9. Exhibit D is a quotation from a supplier for component parts used to construct the prototype. All of the dates redacted from Exhibit D are prior to August 25, 2000. In addition, confidential supplier/vendor and pricing information irrelevant to the present matter has also been redacted.

10. Exhibit E is a purchase order request for component parts used to construct the prototype. All of the dates redacted from Exhibit E are prior to August 25, 2000. In addition, confidential supplier/vendor and pricing information irrelevant to the present matter has also been redacted.

11. Exhibit F is an invoice for component parts used to construct the prototype. All of the dates redacted from Exhibit F are prior to August 25, 2000. In addition, confidential supplier/vendor and pricing information irrelevant to the present matter has also been redacted.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Date: April 19, 2004

Nhon T. Vuong

Nhon T. Vuong